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PTO/SB/64 (09-04)

Approved for use through 07/31/2006. OMB 0651-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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**PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT
ABANDONED UNINTENTIONALLY UNDER 37 CFR 1.137(b)**

Docket Number (Optional)
05222.00108

First named inventor: Edward J. Gottsman

Application No.: 09/824,355

Art Unit: 2172

Filed: April 2, 2001

Examiner: Jean M. Corrielus

Title: MATRIX-BASED USER INTERFACE AND SYSTEM FOR CREATING THE SAME

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JAN 21 2005

OFFICE OF PETITIONS

Attention: Office of Petitions
Mail Stop Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450
FAX (703) 872-9306

NOTE: If information or assistance is needed in completing this form, please contact Petitions Information at (703) 305-9282.

The above-identified application became abandoned for failure to file a timely and proper reply to a notice or action by the United States Patent and Trademark Office. The date of abandonment is the day after the expiration date of the period set for reply in the office notice or action plus an extensions of time actually obtained.

APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION

NOTE: A grantable petition requires the following items:

- (1) Petition fee;
- (2) Reply and/or issue fee;
- (3) Terminal disclaimer with disclaimer fee - required for all utility and plant applications filed before June 8, 1995; and for all design applications; and
- (4) Statement that the entire delay was unintentional.

1. Petition fee

Small entity-fee \$ _____ (37 CFR 1.17(m)). Applicant claims small entity status. See 37 CFR 1.27.
 Other than small entity – fee \$ 1500.00 (37 CFR 1.17(m))

2. Reply and/or fee

A. The reply and/or fee to the above-noted Office action in the form of an After Final Response (identify type of reply):

has been filed previously on _____.
 is enclosed herewith.

B. The issue fee and publication fee (if applicable) of \$ _____.
 has been paid previously on _____.
 is enclosed herewith.

[Page 1 of 2]

This collection of information is required by 37 CFR 1.137(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 1.0 hour to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

3. Terminal disclaimer with disclaimer fee

Since this utility/plant application was filed on or after June 8, 1995, no terminal disclaimer is required.

A terminal disclaimer (and disclaimer fee (37 CFR 1.20(d)) of \$ _____ for a small entity or \$ _____ for other than a small entity) disclaiming the required period of time is enclosed herewith (see PTO/SB/63).

4. STATEMENT: The entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional. [NOTE: The United States Patent and Trademark Office may require additional information if there is a question as to whether either the abandonment or the delay in filing a petition under 37 CFR 1.137(b) was unintentional (MPEP 711.03(c), subsections (III)(C) and (D)).]

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

Signature

January 6, 2005

Date

Christopher J. Reckamp

34,414

Typed or printed name

Registration Number, if applicable

Vedder, Price, Kaufman & Kammholz, P.C.

312-609-7599

Address

Telephone Number

222 N. LaSalle Street, Chicago, IL 60601

Address

Enclosures:

- Fee Payment authorized to be charged to Deposit Account No. 22-0259 (Vedder, Price, Kaufman & Kammholz, P.C.) and any additional fees associated with this Petition)
- Reply
- Terminal Disclaimer Form
- Additional sheets containing statements establishing unintentional delay
- Other: Return postcard

CERTIFICATE OF MAILING OR TRANSMISSION [37 CFR 1.8(a)]

I hereby certify that this correspondence is being:

Deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to: Mail Stop Petition, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450.

Transmitted by facsimile on the date shown below to the United States Patent and Trademark Office as (703) 872-9306.

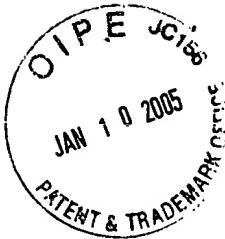
January 6, 2005

Date

Signature

Christine A. Wright

Typed or printed name of person signing certificate



PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Edward J. Gottsman
Serial No.: 09/824,355
Filing Date: 04/02/2001
Confirmation No.: 7180

Examiner: Jean M. Corrielus
Art Unit: 2172
Docket No.: 05222.00108
Atty. File No.: 33836.00.0004

MATRIX-BASED USER INTERFACE AND SYSTEM FOR CREATING
Title: THE SAME

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Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

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PETITIONS
Certificate of First Class Mailing
I hereby certify that this paper is being sent via first class mail, postage prepaid, in an envelope addressed to: Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on this date:

1-6-05
Date

Christine A. Wright
Christine A. Wright

PETITION TO REVIVE APPLICATION DUE TO APPARENT PTO ERROR

Dear Sir:

The application went abandoned due to U.S. Patent and Trademark Office error at least in that the new Power of Attorney mailed July 29, 2003, and received by the Patent Office does not appear to have been entered and as such the final action appears to have been sent to the wrong address and was not received by Applicant's attorneys. Accordingly, no fee is believed to be required and Applicant respectfully petitions for the case to be revived.

If needed, Applicant also respectfully submits herewith a Petition to Revive Due to an Unintentional Abandonment along with the associated fee in the alternative. Applicant respectfully reserves the right to request credit for any petition fee that may be submitted herewith.

Respectfully submitted,

Date: Jan. 6, 2005

By: Christopher J. Reckamp
Christopher J. Reckamp
Registration No. 34,414

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